

# *United States District Court*

for

*District of Guam*

## **Report on Offender Under Supervision**

Name of Offender: **Bert R.A. Muna**

Case Number: **CR 06-00035-001**

Name of Sentencing Judicial Officer: **Honorable Frances M. Tydingco-Gatewood**

Date of Original Sentence: **June 22, 2007**

Original Offense: **Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g) and 924(a)(2)**

Original Sentence: **Time served (approximately one day) imprisonment followed by three years supervised release with conditions to include: not possess or have access to any firearm, ammunition, or other dangerous weapon(s) as defined by federal, state or local law; refrain from any possession or unlawful use of a controlled substance; submit up to eight tests a month to monitor for the use of a controlled substance; have no contact with his brother, Julian Muna; refrain from the use of alcoholic beverages; participate in a program for substance abuse which may include testing; and perform 50 hours of community service.**

Type of Supervision: Supervised Release

Date Supervision Commenced: June 22, 2007

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### **NONCOMPLIANCE SUMMARY**

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Mandatory Condition and Special Condition No. 2 and 3	The defendant shall refrain from any unlawful use of a controlled substance.
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On November 30, 2007, Bert R.A. Muna was tested for controlled substances resulting in a presumptive positive test. Mr. Muna executed an Admission Form indicating that he smoked "ice" on November 28, 2007, with a friend. As a result, this Officer returned Mr. Muna to Phase One, Day One of drug testing and to Phase Two, Day One of drug treatment.

Mr. Muna has been making satisfactory progress during his term of supervised release. He is gainfully employed, attends drug treatment sessions at Marianas Psychiatric Services, and voluntarily submitted to a DNA collection on September 13, 2007. He has not yet paid his \$100 special assessment fee or completed his community service obligation.

This report is submitted for the Court's information only, and no action is requested at this time. Mr. Muna has been warned that sanctions will result from any additional drug testing violations. His compliance will be closely monitored, and any subsequent violations will be reported to the Court accordingly.

Reviewed by:

Respectfully submitted,



/s/ CARMEN D. O'MALLAN  
U.S. Probation Officer Specialist  
Supervision Unit Leader



/S/MARIA C. CRUZ  
U.S. Probation Officer

Date: December 7, 2007

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## THE COURT ORDERS

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*No Response is necessary unless the court directs that additional action be taken as follows:*

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Submit a Request for Modifying the Condition of Term of Supervision

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Submit a Request for Warrant or Summons.

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No Action.

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Other: The condition is suspended as recommended.